

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Jonathan Duquette, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a criminal complaint charging Benjamin Brown with transmitting a threatening interstate communication, in violation of 18 U.S.C. § 875(c).

2. I am a Task Force Officer with the Federal Bureau of Investigation (FBI). I have been in this position since June 2015. Since January 2018, I have been assigned as a Task Force Officer to the FBI's Boston Division. I am also a Border Patrol Agent with the U.S. Border Patrol and have been in that position since December 2009. In my career, I have utilized various investigative tools and techniques, to include the use of search warrants involving electronic data. Through my employment, I have conducted investigations relating to violations of federal law, including threatening communications.

3. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and to make arrests for federal criminal offenses. The FBI has jurisdiction to investigate offenses arising under 18 U.S.C. § 875(c), that involve interstate threatening communications.

4. The facts set forth in this affidavit are based upon my personal knowledge, information obtained during my participation in this investigation including information provided by other investigators, my review of records related to this investigation, and information gained through my training and experience. This

affidavit is intended to provide the facts necessary for a determination of probable cause for the requested search warrant.

PROBABLE CAUSE

5. On March 11, 2021, the FBI National Threat Operation Center (NTOC) Social Media Exploitation Team (SOMEX) received a voluntary disclosure from Google LLC's Cyber Crime Investigation Group, indicating that Google/YouTube user by the name of "push een" had posted comments on YouTube threatening to kill Democratic Politicians as well as other individuals. Along with that voluntary disclosure, Google also sent subscriber information for user "push een" which listed the email address of downtownbennybrown1978@gmail.com for that user. Further, Google provided information from Google Payment Corp., showing that user downtownbennybrown1978@gmail.com had the following address information listed in Google Wallet: Benjamin A. Brown, 20 Gold Street, Unit 2, Waterville, Maine, with telephone number 207-307-0211.

6. In Google's disclosure on March 11, 2021, Google included records showing that the above YouTube user "push een" with the email address of downtownbennybrown1978@gmail.com, made the following comments on YouTube videos:

- a. "this is even more of a reason why we need to all own a gun and protect ourselves if that was me I would have shot and killed every fucking pig on my fucking lawn every mother fucker on my lawn would have been dead!!! Look out you fucking pigs because when come on my properly there will be fucking booby traps where I will be able to fucking kill you if you try to

fucking fuck with me and my family bitches!!!!” (Posted on March 3, 2021, at 13:51 GMT);

- b. “KILL CHUCK SCHUMER NANCY PELOSI AND JOE BIDEN THEY ARE PURE FUCKING EVIL AND THEY NEED TO FUCKING DIE!!!!” (Posted on March 03, 2021, at 07:13:47 GMT);
- c. “senator Susan Collins is a fucking cunt I hope that when she's walking to her car one day someone walks up behind her and puts a fucking bullet right in the back of her fucking skull!!!” (Posted on February 16, 2021, at 14:43:52 GMT);
- d. “I have thought an awful lot about killing Joe Biden!!” (Posted on February 16 2021, at 08:16:59 GMT); and
- e. “I can't wait for a revolution so we can burn Washington to the fucking ground!!! Drag Joe Biden out of the White House and beat him to death on his own front lawn!!!!” (Posted on February 15, 2021, at 02:03:05 GMT).

7. Through open-source database research, the FBI was able to confirm that Benjamin A. Brown, DOB xx/xx/1978, SSN xxx-xx-6989, was listed as residing at 20 Gold Street, Apartment 2, in Waterville, ME.

8. On March 22, 2021, an agent with the FBI and an agent with the U.S. Secret Service attempted to make contact with Brown at his last known addresses (20 Gold Street, Apt. 2, Waterville, ME; and 10 Spring St., Apt. 5, Waterville, ME), but they were unsuccessful. On March 22, agents spoke with tenants of apartment 5 on Spring

Street and the landlord, and they indicated that Brown did not reside there.¹ On March 25, 2021, an agent with the U.S. Secret Service spoke with Brown's prior landlord at the Gold Street residence, who said he recently evicted Brown in November of 2020, but Brown and his family left before the eviction process was final. The landlord indicated that Brown rented from him for a two-year period before the eviction. The landlord said that during the past year, he found Brown to be increasingly abusive to Brown's family, especially women, and that Brown's wife and kids were subservient to Brown. The landlord did not believe Brown was fascinated with assassins or weapons. He said Brown traveled a lot to see family out of state, and although Brown claimed to have a weapons specialty, the landlord thought this claim was boastful.

9. On April 2, 2021, an agent with the U.S. Secret Service went to 10 Spring Street, Apartment 5, in Waterville and observed a vehicle registered to Brown parked at that residence. On that date, the agent interviewed Brown, who initially denied making the posts but confirmed ownership of the Google user name of "push een" and the email address downtownbennybrown1978@gmail.com. Brown acknowledged that he "may have" made the posts and said he often gets frustrated by current events and makes exaggerated, hyperbolic posts. Brown said he does not wish harm to anyone listed in his posts and that he primarily uses the YouTube channel Downtown Benny Brown Productions to make posts. Brown also said that he has Tourette's. Brown said he had no access to weapons or plans to travel. At the conclusion of the interview, Brown was

¹ While unclear, it appears the agents may have gone to the wrong apartment on Spring Street in Waterville.

cooperative and apologetic for making the posts. The FBI subsequently closed its investigation in 2021 after referring the matter to the U.S. Secret Service.

10. On April 12, 2023, the FBI NTOC SOMEX team received a voluntary emergency disclosure from Google LLC's Cyber Crime Investigation Group, indicating that the Google Account fakjoebiden@gmail.com had posted threats to kill George Soros, as well as violent threats against members of the LGBTQ+ community, Mexican politicians, and Alvin Bragg. Google provided the subscriber information for the Google Account fakjoebiden@gmail.com, which showed that the account used the Display Name of John Doe. Google also indicated that the same Android device was used to access the Google account fakjoebiden@gmail.com and the Google account bennybrown6278@gmail.com. Google's records indicate that the name Benjamin Brown is associated with the fakjoebiden@gmail.com Account, as well as the phone number (207) 289-8613 and the city is listed as Waterville, ME.

11. In that April 12, 2023, emergency disclosure, Google provided the subscriber information for the Google Account bennybrown6278@gmail.com, showing that the display name associated with the account was Hand Hole Productions. The phone number (207)289-8613 was associated with the account. Records from Google Payment Corp. showed that the following address information was listed in Google Wallet for user bennybrown6278@gmail.com: Benjamin Brown, 10 Spring Street, Apt. 5, Waterville, ME, with phone number (207) 289-8613.

12. In April 2023, the user of the Google Account bennybrown6278@gmail.com posted on other YouTube user's videos. The following are samples of some of the account user's comments provided by Google:

- a. "I'll kill George Soros I'll kill his whole fucking family" (Posted on April 6, 2023, at 3:20 AM PDT);
- b. "GEORGE SOROS NEEDS TO BE ASSASSINATED AND I HAVE NO PROBLEM DOING IT I'LL DO IT FOR FREE" (Posted on April 6, 2023, at 3:20 AM PDT);
- c. "THE PRESIDENT OF MEXICO IS THE LEADER OF THE CARTELS HE HAS A MONSTER HE MUST BE ASSASSINATED!!!" (Posted on April 2, 2023, at 1:07 AM PDT);
- d. "Give me a couple duffel bags of c4 and an automatic pistol with the silencer some grenades and I will take out the cartels myself"; (Posted on April 2, 2023, at 1:02 AM PDT);
- e. "HEY FBI, SORRY TO BE THE BEARER OF BAD NEWS BUT THERE IS NOTHING THAT YOU'LL BE ABLE TO DO TO STOP THE REVOLUTION BECAUSE WE ARE TOO MANY AND WE ARE TOO POWERFUL WE WILL OVERTHROW YOU WE WILL OVERTHROW THE CIA WE WILL OVERTHROW EVERY POLICE OFFICER IN THIS COUNTRY WHO CHOOSES TO FIGHT ON YOUR SIDE WE WILL OVERTHROW EVERY SINGLE MILITARY MEMBER WHO CHOOSES TO FIGHT ON YOUR SIDE WE OUTNUMBER YOU WE OUTGUN YOU AND YOU WILL NOT WIN!!" (Posted on March 30, 2023, at 8:36 PM PDT); and
- f. "I AM READY FOR A REVOLUTION AND I HAVE BEEN PREPARING FOR YEARS #####" (Posted on March 30, 2023, at 8:35 PM PDT).

13. Through investigation, it was learned from open source queries that the same IP address (2603:7081:6d00:e997:6830:8dbo:dace:3aad) was used by both Google Accounts (fakjoebiden@gmail.com and bennybrown6278@gmail.com). Through an open-source query for that IP address, it was learned that the IP address resolves to Winslow, Maine, and service provider Charter Communications, Inc. Through an advanced open-source query conducted by NTOC for the IP addresses, it was learned that it resolved to Waterville, Maine, with provider Spectrum (which operates as Charter Communications, Inc., in the State of Maine).

14. An open-source search provided several results, some of which were duplicate entries, under public records for the telephone number (207) 289-8613. The active phone (meaning the most current result) for the number was listed as belonging to Benjamin Brown, 10 Spring Street, Apt. 5, Waterville, ME 04901. A query through a law enforcement database for Benjamin Brown, DOB xx/xx/1978, showed that Brown was issued a driver's license in 2021, with an address of 10 Spring Street, Apartment 5, in Waterville, Maine.

15. On April 13, 2023, I interviewed Brown at 10 Spring Street, Apartment 5, in Waterville, Maine, along with FBI Special Agent Kurt Ormberg. I spoke to a male individual through the closed exterior door of the apartment; therefore, I could not conclusively identify that person as Brown. However, based on the content of the interview and our conversation, I believe it was Brown. I explained to the male who answered the door that I was looking to speak with Benjamin Brown about comments he posted online. During the interview, the person presumed to be Brown said that anything posted online was free speech. The male never said that he was not Brown,

and he did not deny posting the comments when I read them to him. Brown said he was only “venting” and did not mean to sound threatening. Brown also claimed that he uses Google voice to text which does not always correctly transcribe what he said. Brown described himself as a peaceful person. Brown was advised to read Title 18, United States Code Section 875(c) for definitions of Interstate Threatening Communications, and he was warned that all statements online do not constitute free speech. Brown acknowledged that he would research the law provided. Brown claimed not to own firearms at that time. In May 2023, the investigation was closed.

16. On February 20, 2024, the FBI National Threat Operations Section (NTOS) Exigent Threat Research and Analysis Crisis Team (EXTRACT) received a voluntary emergency disclosure of information from Google LLC’s Cyber Crime Investigation Group, indicating that Google Account User vnice1937@gmail.com made threats towards immigrants and other elected officials and was stockpiling weapons in preparation for a violent civil war in the United States. Google provided the following subscriber information for the Account vnice1937@gmail.com: display name of “Ghhgnfhjhvhgv Mvh hc! J! K” and a DOB of “1909.” Google indicated that the Google email account bennybrown6278@gmail.com appeared on the same Android Device as the account vnice1937@gmail.com. Google provided the subscriber information for bennybrown6278@gmail.com, which showed a display name of “JOEBIDEN IS A PEDOPHILE,” a date of birth in 1900, and a telephone number of (207) 289-8613.

17. The following are samples of some of the comments posted by user vnice1937@gmail.com that were provided by Google on February 20, 2024:

- a. "THAT'S RIGHT AND PRETTY SOON WE'RE GOING TO KILL EVERY SINGLE ONE OF YOU WOULD LEGAL IMMIGRANTS YOU'RE ALL GOING TO DIE AT THE HANDS OF OUR GUNS. YOU BROKE INTO THE WRONG COUNTRY AND YOU'RE GOING TO PAY FOR IT WITH YOUR LIFE" (Posted on February 20, 2024, at 4:35 AM PST);
- b. "IF YOU DON'T FIGHT FOR YOUR FREEDOM IT WILL BE TAKEN FROM YOU I CANNOT WAIT TO FIGHT THE CIVIL WAR AND KILL THESE DEMOCRAT POLITICIANS" (Posted on February 15, 2024 at 3:28 UTC);
- c. "ALL OF THESE ILLEGAL IMMIGRANTS DESERVE TO DIE THEY ARE TERRORIST WHO BROKE INTO OUR COUNTRY WE THE PEOPLE HAVE EVERY LEGAL RIGHT TO DEFEND OUR COUNTRY AND KILL THEM ALL AND THAT IS JUST WHAT WE ARE GOING TO DO AND I AM GOING TO BUY ME AN AR-15 TO DO IT" (Posted on February 14, 2024, at 1:42 UTC);
- d. "SADLY PRESIDENT TRUMP WILL NOT BE BACK IN THE WHITE HOUSE BECAUSE THE DEMOCRATS ARE GOING TO STEAL IT. THE ONLY WAY TO SAVE THIS COUNTRY IS A CIVIL WAR OR A REVOLUTION WE MUST TAKE UP ARMS AGAINST THE DEEP STATE GOVERNMENT AND OVERTHROW THEM WITH OUR GUNS BECAUSE THE ONLY WAY TO GET RID OF EVIL IS TO KILL IT" (Posted on February 7, 2024, at 16:47 UTC);
- e. "I HOPE THE CITIZENS OF DENVER TAKE UP ARMS AGAINST THESE

ILLEGAL IMMIGRANTS BECAUSE WE HAVE THAT LEGAL RIGHT
THAT'S WHY I'M BY MYSELF LOTS OF GUNS AND I'M GOING TO
TAKE UP ARMS AGAINST THESE ILLEGAL IMMIGRANTS" (Posted on
February 6, 2024, at 21:49 UTC);

- f. "AT THIS POINT IT'S COMMON SENSE THAT THIS IS NOTHING MORE THAN A POLITICAL ASSASSINATION. DONALD TRUMP IS INNOCENT OF ALL CHARGES THE JUDGES ARE CORRUPT THE WHOLE COUNTRY'S CORRUPT AND WE THE PEOPLE OF THE UNITED STATES OF AMERICA ARE GOING TO START A REVOLUTION A CIVIL WAR AND WE ARE GOING TO OVERTHROW THE CROOKED TIRING GOVERNMENT IN THE FBI AND THE CIA WITH OUR GUNS AND THERE'S NOTHING ANYONE'S GOING TO DO ABOUT IT" (Posted on January 20, 2024, at 2:56 UTC);
- g. "I'M STOCKPILING WEAPONS IN AMMO FOR THE CIVIL WAR SO I CAN KILL AS MANY DEMOCRATS AS POSSIBLE HOPEFULLY SOMEONE WILL SAVE BARACK HUSSEIN OBAMA FOR ME SO I CAN BLOW HIS FUCKING BRAINS OUT" (Posted on December 25, 2023, at 8:31 UTC); and
- h. "I ALREADY HOPE THIS DOES HAPPEN BECAUSE IT WILL ALLOW ME TO KILL BARACK HUSSEIN OBAMA AND JOE BIDEN IN THE REST OF THE DISGUSTING DEEP STATE DEMOCRATS ALONG WITH THE senator and Governor of MaineE" (Posted on December 25, 2023, at 8:21 UTC).

18. The following are samples of some of the comments posted by user bennybrown6278@gmail.com that were provided by Google on February 20, 2024:

- a. "AND THIS IS EVEN MORE OF THE REASON WHY WE NEED TO UTILIZE OUR SECOND AMENDMENT RIGHTS START A REVOLUTION AND KILL THE ENTIRE DEEP STATE GOVERNMENT I'M LOOKING FORWARD TO IT I'M GOING TO GO OUT AND BUY AN AR-15 JUST IN CASE #####" (Posted on February 13, 2024, at 1:00 AM PST);
- b. "EVERY SINGLE ONE OF THESE ILLEGAL IMMIGRANTS ARE TERRORISTS THAT BROKE INTO OUR COUNTRY AND WE HAVE EVERY LEGAL RIGHT TO KILL THEM AND THAT'S EXACTLY WHAT I'M GOING TO DO AND THERE IS NOT A GODDAMN PERSON WHO'S GOING TO STOP ME NOT THE FBI NOT THE LOCAL POLICE NOT A MOTHERFUCKING SOUL I FUCKING DARE YOU" (Posted on February 8, 2024, at 8:58 PM PST); and
- c. "I'M GOING TO GO HUNTING FOR THESE ILLEGAL IMMIGRANTS THAT HAVE TALKED TO THESE NEW YORK POLICE OFFICERS I'M GOING TO HUNT THEM DOWN AND KILL THEM" (Posted on February 8, 2024, at 8:53 PM PST).

19. In its February 20, 2024, disclosure, Google stated that records from Google Payment Corp. indicated that the following address information is listed in Google Wallet for user bennybrown6278@gmail.com: Benjamin Brown, 10 Spring Street, Apt. 5, Waterville, ME, with phone number (207) 289-8613.

20. On February 20, 2024, FBI Special Agents (SA) Dale Wengler and Andrew Brewer attempted to interview Benjamin Brown at 10 Spring Street, Apartment 5, Waterville, Maine. Again, the male who answered the door would not open the door, and his identity could not be conclusively confirmed. However, based on the content of the interview and the conversation, SA Wengler and I believe it was him. The agents spoke with the male who is believed to be Brown about his recent posts on YouTube. The male presumed to be Brown acknowledged the posts and said he was not making threats towards others and that he was not going to hurt himself or anyone else because he is not a violent person. The male also said that he did not own a gun and that he would only defend himself if he was threatened. The male believed to be Brown said he would stop posting on YouTube so the agents would not have to come back. The male also acknowledged that agents had admonished him before about making threats.

21. The investigation has shown that Google account users bennybrown6278@gmail.com and vnice1937@gmail.com have been posting threatening comments on YouTube videos as recently as February 20, 2024. According to information provided by Google on February 20, 2024, in its voluntary emergency disclosure to the FBI NTOS EXTRACT, the bennybrown6278@gmail.com Account is associated with Benjamin Brown of 10 Spring Street, Apt. 5, Waterville, ME, with phone number (207) 289-8613. According to records from Google provided on February 20, 2024, the vnice1937@gmail.com Account is linked to the bennybrown6278@gmail.com Account because the same Android device was used to access both accounts.

22. As indicated above, an open-source search of telephone number (207) 289-8613 produced several results, with the most recent result indicating that the phone number belonged to Benjamin Brown of 10 Spring Street, Apt. 5, Waterville, ME 04901.

23. On March 6, 2024, I obtained a search warrant for the person of Benjamin Brown and his residence located at 10 Spring Street, Apt. 5, Waterville, Maine. A copy of my affidavit in support of the warrant is attached as Exhibit 1 and incorporated here.

24. As a result, there is probable cause to believe that Brown committed the offense of interstate threatening communications in violation of 18 U.S.C. § 875(c).

CONCLUSION

25. Based on the foregoing, I submit that probable cause exists to believe that on about February 8, 2024, Benjamin Brown knowingly, willfully, and recklessly transmitted in interstate commerce a communication containing a threat to injure the person of another, in violation of 18 U.S.C. § 875(c). I respectfully request that the Court issue a criminal complaint charging him with this offense.

Dated at Bangor, Maine, this 8th day of March, 2024.



Jonathan Duquette
Task Force Officer
Federal Bureau of Investigation

Sworn to telephonically and signed electronically in accordance with the requirements of Rule 4.1 of the Federal Rules of Criminal Procedure

Mar 08 2024

Date:

City and state:

Bangor, ME

